

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Ricardo Ramos-Aguilar, )

a.k.a.: Ricardo Ramos Aguilar, )

(A205 168 538) )

Defendant )

Case No. 17-9419 MJ

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 15, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Ricardo Ramos-Aguilar, an alien, was found in the United States of America at or near Buckeye, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about March 5, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Natalie B. Huddleston

☒ Continued on the attached sheet.


Complainant's signature

Darrin J. McNeill,  
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: September 18, 2017


Judge's signature

City and state: Phoenix, ArizonaEileen S. Willett,  
United States Magistrate Judge

Printed name and title

### **STATEMENT OF PROBABLE CAUSE**

I, Darrin J. McNeill, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 15, 2017, the Arizona Department of Public Safety (DPS) encountered Ricardo Ramos-Aguilar during a traffic stop on SR 85, mile marker 151, in Buckeye, Arizona. DPS Officer Bowes suspected Ricardo Ramos-Aguilar to be an enforcement priority, illegally present in the United States, and contacted the Phoenix ICE Law Enforcement Agency Response Unit for assistance. ICE Officers D. Wymore telephonically interviewed Ramos-Aguilar and determined Ramos-Aguilar to be a citizen of Mexico, illegally present in the United States. On the same date, Ramos-Aguilar was transported to the Phoenix ICE office for further investigation and processing. Ramos-Aguilar was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Ricardo Ramos-Aguilar to be a citizen of Mexico and a previously deported criminal alien. Ramos-Aguilar was removed from

the United States to Mexico at or near Del Rio, Texas, on or about March 5, 2016, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Ramos-Aguilar in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Ramos-Aguilar's immigration history was matched to him by electronic fingerprint comparison.

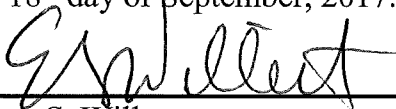
4. Criminal history checks revealed that Ricardo Ramos-Aguilar was convicted of Attempted Possession of Marijuana for Sale, a felony offense, on August 8, 2012, in the Superior Court of Arizona, Maricopa County. Ramos-Aguilar was sentenced to twelve (12) months' incarceration and three (3) years' probation. Ramos-Aguilar's criminal history was matched to him by electronic fingerprint comparison.
5. On September 15, 2017, Ricardo Ramos-Aguilar was advised of his constitutional rights. Ramos-Aguilar freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 15, 2017, Ricardo Ramos-Aguilar, an alien, was found in the United States of America, at or near Buckeye, in the District of Arizona, after having been

previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about March 5, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Darrin J. McNeill,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 18<sup>th</sup> day of September, 2017.



Eileen S. Willett,  
United States Magistrate Judge